

### REMARKS

This RESPONSE is being filed in conjunction with an RCE in view of the Advisory Action issued December 22, 2004.

In the final rejection dated September 13, 2004, the examiner states that the RCE filed on July 28, 2004 was filed "after abandonment of the application.:

The RCE filed July 28, 2004 was filed two (2) months after the decision on the Request for Rehearing which was dated May 28, 2004. The date for taking further action was, therefore, July 28, 2004 (37 CFR 1.304). The RCE filed was therefore timely filed.

The RESPONSE filed December 13, 2004 should be considered on the issues of res judicata and the discussion presented in the Post Hearing Memorandum, which are both of record. It is necessary that both issues be considered and discussed so that a record can be developed with respect to these issues in the event of a further appeal.


Claim 2 has been further amended to clarify that the graphite surrounds each reinforcing fiber yarn, not unlike the arrangement shown in Enclosure D of record.

Reconsideration is requested and claim 2 found allowable.

Respectfully submitted,

BACON & THOMAS, PLLC

Date: January 13, 2005

  
Felix J. D'Ambrosio  
Registration No: 25,721

**Customer Number \*23364\***  
BACON & THOMAS  
625 Slaters Lane, Fourth Floor  
Alexandria, Virginia 22314  
Phone: (703) 683-0500

S:\Producer\jfd\CLIENTS\Osaka Internationa. Suzue Patent\UEDA3002\Jan 13 2005 response.wpd